AURORA.

KNOWLEGE.... LIBERTY.... UTILITY.... REPRESENTATION.... RESPONSIBILITY.

VOL. I. PHILADELPHIA, SATURDAY, DECEMBER 6, 1834. NO. 36.

From the Globe.

HON. PELEG SPRAGUE.

This gentleman has announced, by a circular to the members of the Legislature, his determination to resign the offie of Senator of the United States on the first day of the next session. He tells the Legislature that he does not resign because that body "*arrogated to itself the right to demand the surrender of my office*"—but he resigned because, on "an appeal to the great primary source of all power—THE PEOPLE"—their decision was against him. We give his own explanation of the case:

I have recently, by my own consent, been brought directly before the whole *People* of the State as a candidate for the office of their Chief Magistrate. The contest was a vigorous one, and turned upon political questions in which I had been and might again be called upon officially to take part. Peculiar circumstances, which preceded and attended the canvass, gave it the character of an *appeal* to the great primary source of all power, the PEOPLE. Their decision has been pronounced; and I cannot now perceive that any considerations of public duty require me to sacrifice my feelings and wishes, by continuing in office a moment longer than is necessary to give to the Legislature an opportunity to elect another in my stead. The precedent cannot be dangerous. There can rarely be such a coincidence of circumstances, and never without the voluntary consent of the Senator himself to be placed directly before the whole PEOPLE as a candidate for their suffrages.

I am, very respectfully, your obedient servant,

PELEG SPRAGUE.

Hallowell, Nov. 17, 1834.

With Mr. Sprague, we concur in the belief, that "the precedent cannot be dangerous." It is, in our opinion, the only safe and honorable course as it regards the character of the individual concerned, and the only honest and proper course as regards the public interest or feeling. We trust Messrs. Frelinghuysen and Southard will see the matter in the same light with Mr. Sprague, and follow his example. These gentlemen, in their speeches in the Senate, and in their own prepared versions of them, printed and dissemmated through New Jersey, and afterwards by direct personal appeals, made the issue between the Legislature and themselves. They called on "the primary source of all power, the People," to decide upon their case, and they have been condemned as absolutely as Mr. Sprague. Mr. Knight of Rhode Island stands precisely in the predicament of Mr. Sprague, having tried his case also, by becoming a candidate for the office of Governor of his State, and meeting a like fate.

The circumstances, however, under which the will of the People becomes known, is of no importance in such cases. Mr. Sprague admits clearly, that when "the primary source of all power—the People," give their solemn decision against the course which the Representative of the State feels it a duty to himself to pursue,—he must resign his agency. He puts his resignation upon the ground, that it is not right to hold the representative character, and violate the pronounced will of the People—the source of all the power which the agent exerts. Does Mr. Mangum's or Mr. Moore's, or Mr. Frelinghuysen's, or Mr. Southard's case, differ from Mr. Sprague's? We think not.

Pennsylvania had in 1829, thirty-one Chartered Banks, with a nominal capital of $12,032,000—of this amount $5,930,000 was invested in stocks and real estate, with the remaining $6,102,000, notes were discounted to the extent of 17,526,000 dollars, which according to the usage of banks, draws an interest of 6 4-10 per cent. The revenue which banks derive from lending 6,102,000 dollars would be 1,121,664 dollars—private capitalists would get from the same sum by lending it at 6 per cent, 336,120 dollars per annum. The Banks therefore derive from the people 755,544 dollars per annum, more than could be obtained by private persons lending actual capital of the same amount as the nominal capital of the Banks.

It appears by an estimate, that the total amount paid by the people in sixteen years over and above 7 per cent. on the loanable capital of the Banks, is 12,088,701 dollars.

The nominal capital of the Bank of the United States on the 1st November, 1829, was 34,966,270 dollars, of which amount 11,717,071 were invested in stocks and 3,876,404 in real estate, leaving for its proper business 12,420,795 dollars of nominal capital. Private persons would have been enabled to draw from such a sum lent at 6 per cent, a revenue of 1,164,167—but the Bank discounts to the amount of 40,017,440 dollars, from which it derives a revenue of 2,561,114 dollars, or 1,396,974 more per annum than private capitalists.

Mr. Gallatin gives a statement of 297 Banks in other States, with nominal capitals amounting to 97,381,935 dollars, but the portion of real estate and stocks is not stated—if these banks have the same proportion of their capital invested in stocks and real estate as those in Pennsylvania, they would have for discounting 49,387,015 dollars—the interest on an actual capital of this amount would be 2,963,320 dollars—but the Banks derive 8,679,427 dollars, being 5,710,207 dollars more than private capitalists.

The tax then paid by the people over and above 6 per cent. for the support of these Banks, appears to be as follows:—

For the support of the Penn. Banks	$ 755,544
" " of the local Banks of other States	5,710,207
" " of the U. States Bank	1,396,947
	$7,862,698

Milledgeville, November 12.

CITATION FROM JUSTICE BALDWIN.

In another column will be seen a citation signed by Henry Baldwin, a Judge of the Supreme Court, requiring the State of Georgia to appear before that tribunal on a Writ of Error, in favor of James Hogg Smith, a Cherokee Indian, who has been tried, convicted, and sentenced for murder, in Walker Superior Court. The Nullifiers with their unfaltering hostility to the Federal Union, have planned and produced, and are now employing this interference within our jurisdiction, in order to infuse into the hearts of the people, a violent hatred for the General Government. The whole is a plot of the Nullifiers, designed to produce a collision between the Federal and State authorities. In one of the Superior Courts of the Cherokee Circuit, an Indian, after a fair trial, was convicted of murder; and the Nullifying Judge, who presided at his trial, after a verdict of "Guilty," postponed the execution for fifty-five days. Why this extraordinary delay? In order to allow time for an application to the Supreme Court, and the interposition of that tribunal. Nullifying counsel apply to the Supreme Court to arrest and reverse the decision of the State Court. Why this application? Do they hope to procure a reversal of the judgment of the State Court? No! Their only hope is, to embroil and exasperate the people against the Federal Government. When the facts are communicated to the Legislature, a Nullifier in each branch proposes a reference of the subject to a Select Committee. Why this reference? That they may have an opportunity, by an inflammatory report, to kindle distrust, and hatred, and angry opposition against the Federal Government. No doubt this vile intrigue was fully matured before the session of the General Assembly; a rumor is afloat, that an elaborate report has been prepared for the occasion by the notorious Atticus. But unless we are greatly deceived, the "vicious and corrupt" hopes of the Nullifiers will be disappointed, and the whole transaction will pass off as calmly as a summer's morning.

The citation has not the force or authority of a law, or of a judgment. It is only in the nature of a summons. This process, when a proper case is made out on paper, is a writ of right, which the Judge is bound to issue; but on a trial of this case on the merits, the same Judge would decide in favor of the State; for he has heretofore sustained the sovereignty and jurisdiction of Georgia, over her Cherokee territory.

The State will disregard this process; because, according to the Constitution of the United States, she is not liable to the suit of an Indian, in the Supreme Court; and because she has never delegated to the Federal Government, any right to oust her of jurisdiction over all the territory within her chartered limits, and the population resident thereon. On the State's refusing to appear before the Supreme Court, no further proceeding will be attempted against her.

The Sheriff of Walker will execute the sentence of the law. It is reported, we presume on the authority of Nullifying counsel, that a writ of some kind has been served on that officer, forbidding him to execute the judgment of the Court. He will be advised and instructed to execute the sentence of the law, and the unfortunate, but guilty Indian will pay the forfeit of his crime. For this obedience to the laws of the State, the Sheriff, it is probable, will never be called in question; that he cannot be injured for it, is certain.

The citation will not produce the slightest embarrassment in the administration of the law; nor will it give rise to any collision between the Federal and State Governments. In the course pursued by Georgia, there will neither be theoretical, nor practical Nullification. She will pass no authoritative judgment, she will engage in no forcible resistance against any law of Congress; she will not even oppose a judgment of any Federal Court; she will only exercise those rights of governing her entire soil and population, which she has never delegated to the Federal Government, and which have not been prohibited to her by the Federal Constitution. With a calm and settled resolution she will maintain her rights; believing the process which has been served on her Chief Magistrate not to be founded on any hostility of the Federal Government to her rights, it will not excite in her any hostility to that Government; she will resort to no plans of angry violence; she will continue to cherish the Federal Union with unabated affection. In her course she will be sustained, certainly by the Federal Executive; and probably by the Federal Judiciary, and a majority of the Congress of the United States; and it will not be attended with the slightest danger of civil war, or of disunion.—*Federal Union.*

CONSUMPTION OF FOOD IN LONDON.

The annual consumption of oxen in London, is 150,000; calves, 50,000; sheep, 700,000; lambs, 240,000; hogs and pigs, 200,000; the total value of butcher's meat, consumed in the year is estimated at £8,500,000. There are 8,600 cargoes of fish, of 40 tons each, brought annually to Billingsgate, besides 20,000 tons by land carriage; 1,000,000 quarters of wheat; about £80,000 in value of poultry; 21,000,000 lbs. of butter; 25,000,000 lbs. of cheese; vegetables and spirits to the value of £1,000,000; 2,000,000 barrels of ale and porter of 36 gallons each; 10,000,000 gallons of spirits and compounds; 65,000 pipes of wines; and 7,900,000 gallons of milk, the produce of 9,600 cows, are annually consumed.

MEMORANDUMS.

PHILADELPHIA,
ELIZABETH ST.—NEAR SOUTH SIXTH.

This paper is published in the quarto form—

Because it is more commodious for perusal than the folio:

Because it is better adapted for preservation, and reference; and

Because it can be more easily enlarged without affecting its convenience, by the mere lengthening of the columns, or by the addition of a quarter or half sheet, or more, if eligible.

The publication in detached numbers, is *incident to the progress of the subscription;* which, though it proceeds slow, goes on certain.

NUMBERS will continue to be issued, at convenient times, till the subscription shall be adequate to the expenditure, when the paper will issue daily, without any farther notice; and the detached numbers will be considered each as a day, in the year's charge.

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ADVERTISING *on moderate terms,* by the *line, square, or column;*—by the *day, week, month, quarter, or year.*

PUBLISHED BY WILLIAM DUANE.

PHILADELPHIA, DEC. 6, 1834.

GOVERNOR'S MESSAGE.

The Message of Governor Wolf to the Legislature of this Commonwealth, is honorable to him and to the State. We must repeat our regret at not being able to issue daily —because prompt publication, and ready remark, are of great advantage in every public question; as we never can be unprepared, we are the more disquieted by the impossibility of publishing what is publicly important, and accompanying it by such elucidations as we might deem useful. Abstracts are very rarely adequate to convey all the spirit of public documents.

The Governor's notice of the cruel murders and violent disorders, produced by Federal turbulence and arrogance at the last election, was due to public morals and social character. The great evils of our election code arise out of the laxity of its provisions. The practice of bringing persons from adjoining states, and minors, upon the ground, is one of the greatest evils. The *Federalists* always calculate upon carrying an election, if they can obtain their *Inspectors* and *Judges*, a calculation founded in a decided declaration that they can succeed by *perjury of the Inspectors*, and there is no evading this conclusion—it is the true channel of grievance.

Another evil of practice is the combinations formed to pre-occupy the space where ballots are given in. Some provisions which should secure an unembarrassed access to the place of delivery is indispensable; and it should be made a question before any change is made in the present form of a central point of election, whether a separation into fifteen points, may not be converting an election into fifteen points of riot and outrage instead of one. The presence of the people is of much importance at elections, as well as in courts of justice; men will shrink from acts before a great assemblage, which they would not scruple to do in a corner, or where they have a preponderating mass, armed already to swear for them. The array of arms at elections, however secret, demands legislative care and protection to the free exercise of suffrage.

On the subject of standards it were desirable nothing had been done. It belongs to the General Government, and though neglect, or whatever other cause by the constitutional authority of the Union, may sanction temporary regulation, the diversity of uncertainty is increased by every new law, and by the enactments of every separate state, having no *common rule* or *principle*. We may say more of this at a future time.

On the Public Improvement, in the promotion of which we took so large a part some *thirty years* ago, we take some pride in contemplating what has been realized.

On that devouring disease, the *paper system*, we also recognize some cause of gratification. Topics which we discussed without scarcely a hundredth reader comprehending the matter, or the consequence, are now familiarly talked and thought of, though not with, as yet, that full intelligence without which there can be no effectual corrective. The Governor, with his plain, strong, good sense, has hit upon the true principle, that of gradual relief—which must carry its healing quality to a perfect restoration of our natural health and vigor.

Of the School Bill we could say very much. The Bill of last session is salutary in its design, and as the *basis of something* yet to be provided, is entitled to greater approbation. We cannot refrain, however, from offering an *opinion* which goes to the whole question—that all laws concerning education, which do not provide explicitly *what* and *how* knowlege may be taught, fall short of their professed purpose. The first step should be a select school, which should have two objects solely in view—*first*, the *matter*, *manner*, and *method*, of teaching; *second*, to *provide teachers* of that which should be found to be the best method; and we shall add, that this method should be that of *Pestalozzi*, to promote which, if adopted, the editor will gratuitously present a series of works obtained from Pestalozzi himself, during his life time.

COMMERCIAL REVOLUTION.

A very remarkable agitation, very deliberate, and slow, and unpretending, is going on in the commercial policy of some of the principal states of Europe.

The questions upon the *tapis* in France have taken a peculiar course of investigation for three years past; indeed very soon after the system of co-operation in the policy of Europe had been adopted by France and England.

The English government has employed a man of very uncommon acquirements, and of uncommon principles too, Dr. J. Bowring, the leading disciple of Bentham, as one of its agents in France, associated with Mr. Villiers.

The results are not yet matured, but the minister who has charge of this department of politics in France, while he affects to act upon the principles of Quesnay, appears to entertain the theory of Colbert.

The co-action in the British Parliament on this engrossing topic, has been eager, but shy. A disposition to *clutch* the subject has been manifested; but a cold, reserved counsel has repressed the premature zeal. The policy is surrounded with great difficulties to the men in power, because some sacrifices would be unavoidable, if the vast advantages to be obtained could be secured by such sacrifices, but as the advantages would be gradually progressive, and in some measure remote though large, and the sacrifices immediate, the *Tories* would seize upon the *current effects*, and hamper the English administration. Meanwhile the negotiations are arrested.

The commercial policy of Germany underwent, at the period of the British usurpation of the domain of the ocean, a very great revolution. The continental system, *clinched* by the Milan Decrees, compelled several of the German States to employ their internal industry, not because it was for the good of the people, but because the princes could not subsist without revenue, which theretofore depended on the industry of other countries.

A gentleman of very uncommon talents, too well known by his honourable enterprise in attempting to release La Fayette from Olmutz—and afterwards less happily known by his conspicuous share in the *Washita empire*—Dr. E. Bollman; this gentleman, sunk by his adverse fortune here, turned his attention to Germany. Himself a native of a maritime city on the Elbe, and inbued deeply with an ambition to obtain distinction, conceived the idea of persuading the heads of the petty States of Germany—with the ultimate purpose of invoking the greater German powers—to abrogate that fatal policy which subjected States separated only by an artificial line, or a rivulet, to all the disadvantages of a foreign or an insular position.

Dr. Bollman had great success in awakening the attention of philosophical men, in the States between Switzerland, the Rhine, and the Elbe; but he found that the factors of France and England had more potency in Germany than the philosophers.

He proposed the extinction of all these enormously burdensome tolls upon the transport of merchandize by the Rhine, commodities being compelled to pay in transit, unequal, but in the aggregate excessive duties, at each custom-house by which the merchandize was shipped, and new duties on the frontier of each of the petty states, or free cities, through which the transport took place.

In fact, the same system prevailed in France under the old regime, when each of the provinces of the monarchy had its separate code, its separate policy, and its line of custom-houses, so that the products of one province of France paid duties upon passing into another.

The same system, under the name of *Alcavala*, prevailed in Spain, and in some degree still continues. In some of the Southern Republics of this continent, the Alcavala continues to be a part of the revenue system; the effect of which may be conceived, by supposing goods to the value of $100 only, landed at La Guayra, and paying the duty of only one per cent. there—if sent inland, a duty at each of the twenty custom houses, would make 20 per cent. —besides the addition of an equal sum for transport to the last purchaser; a system which requires no further argument to exhibit its folly, and its unequal operation on the people of the interior.

Colbert laid the foundation for the overthrow of that system in France; but Neckar, who pursued Colbert's policy, and for which he incurred the never-failing hatred of the British monopolists—Neckar could not proceed in accomplishing what the Revolution itself fulfilled, by extinguishing the generalities, and constituting France into departments, subject to only one policy or system of laws.

Dr. Bollman sought to produce the same commercial equality in the German States. The free cities, Hamburg, Bremen, and Frankfort on the Maine, entered into it with spirit, as did some of the princes of the Saxon houses; but the agency of the Holy Alliance was brought to counteract this; and poor Bollman, after seeing his prospects of an honorable renown almost realized, found himself a proscribed man, in that Germany which it was his hope to see flourishing and prosperous, only by the mere use of their own heads, hands, and commodities.

A Prussian minister of that period, had the wisdom to appreciate Bollman's, project for the prosperity,—but that minister was neutralized by a power unseen.

We find by the late advices from Europe, that Prussia has recently entered largely into the spirit of internal industry, and made very large strides towards success. Frederick the Great had at his early period, when darkness enveloped the other States of the continent, profitted by the follies and false policy of France, and extended his protection to the multitudes of experienced artists expelled by the repeal of the edict of Nantz. But Prussia, though it has had many Fredericks, had but one great Frederick.

The policy here comprehensively noticed, is *moving by flood and field*—it is characteristic of the age, and must move with an increasing celerity of action and effect. But, like the old sciences, it is to go through the process of that analysis to which all things are now subjected. Long prevailing prejudices, and what may be called interests already vested, will oppose it; but it will march upon the wings of intellect, and it will encircle this globe.

France will, as in 1786, be again duped by diplomacy, and the experience of her errors will lead to new counsels. There will be a struggle between the *mercantile* and *money* powers, to regulate the balance of Europe; but the explosion of that Political Economy which has cheated the world during more than a century, will show the way for better knowlege, and a more diffusive and liberal policy among nations.

While committing these reflections to paper, very late advices from Europe announce the dissolution of the French ministry. The pressure of home affairs, and our limits, do not allow us to descant upon this occurrence further than as it relates to the special topic—the *revolutions of commerce*. The policy which was under discussion, is of course suspended by the resignation of M. Thiaas, in whose department it belonged.

The mystical paradoxes of Say, however, pervade the French *Scavans*, as much as those of *Quesnay* in their

day; and out of which it is absolutely impracticable to deduce any substantial policy. *Colbert* had been a merchant, and *Neckar* a mercantile banker, and these, if we except (as we should) *Forbonnais*, were the only commercial ministers that France has had since the rise of the commercial policy of Europe. A striking evidence of the circumscribed knowlege on such affairs among public men, is the fact that the work of *Farrier* on public administration, the only work composed in France, that is practical, is scarcely known, seldom spoken of, and is not classed by booksellers among works on *Political Economy*; while *Say* was appointed to lecture on the subject, without understanding it. It is true that this folly prevailed almost to a like extent in England.

TWENTY-THIRD CONGRESS.

SECOND SESSION.

IN SENATE,

MONDAY, December 1, 1834.

This being the day fixed by the Constitution for the meeting of both Houses of Congress,

The VICE PRESIDENT took the Chair and called the Senate to order.

A quorum of members being present—

Mr. WHITE submitted the following motion:

Ordered, That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled and ready to proceed to business; which was agreed to.

Mr. WHITE submitted the following resolution:

Resolved, That a committee be appointed, on the part of the Senate, to join such committee as may be appointed by the House of Representatives, to wait on the President of the United States, and inform him that quorums of the two Houses have assembled, and that Congress is ready to receive any communication he may be pleased to make. The resolution was agreed to.

Mr. CLAY then moved that the Senate waive balloting for the committee, and that the presiding officer appoint the same; which was agreed to; and Messrs. WHITE and SWIFT were appointed.

Mr. KNIGHT offered the following resolution, which lies one day on the table:

Resolved, That each Senator be supplied, during the present session, with three such daily newspapers, printed in any of the States, as he may choose, provided the same be furnished at the usual rate of the annual charge of such papers; and provided also, that if any Senator shall choose to take any newspapers other than daily papers, he shall be supplied with as many such papers as shall not exceed the price of three daily papers.

Mr. GRUNDY, from the Committee on the Post Office and Post Roads, offered the following resolution:

Resolved, That the 34th Rule of the Senate, so far as respects the Committee on the Post Office and Post Roads, be suspended; and that the present Committee on the Post Office and Post Roads be continued, with all the powers vested in them, by the resolution of the Senate of the 28th day of June, 1834.

Mr. GRUNDY remarked, that the resolution was one which he could find no precedent to sanction. But he offered it at this time, owing to the peculiar situation of the committee. They had been assiduously engaged, for some time past, collecting testimony and other evidence connected with their duties, but they would not be able to make a satisfactory report for some time to come. Some of the witnesses for examination would be here to-morrow, and he was therefore desirous that the Senate should suspend the rule which requires the Standing Committees to be balloted for at the commencement of each session, so far as applies to the Committee on the Post Office. He asked the immediate consideration of the resolution—which was agreed to, and it was then adopted.

A message was received from the House of Representatives, by Mr. Franklin, their clerk, stating that a quorum of members of that House was present, and that a committee had been appointed to join the Senate committee, for the purpose of informing the President of the United States that the two Houses were organized, and ready to receive his communications.

The Senate then adjourned.

TUESDAY, December 2, 1834.

Mr. WHITE, from the Committee appointed to wait upon the President of the United States, in conjunction with a similar committee from the House of Representatives, to inform him that the two Houses were organized, and ready to receive any communication he may be pleased to make, reported that they had performed the duty assigned to them, and that the President gave information that he would make a communication to both Houses this day at 12 o'clock.

A Message was then received from the President of the United States, by the hands of A. J. Donelson, Esq. his Private Secretary.

The Message having been read—

Mr. WHITE moved that 5000 copies thereof, and 1500 copies of the accompanying documents, be printed for the use of the members of the Senate; which was agreed to.

The resolution submitted yesterday by Mr. KNIGHT, relative to authorizing a subscription for newspapers for the use of the members was taken up for consideration.

Mr. KING, of Georgia, spoke in opposition to the resolution, and concluded by moving that the resolution be laid on the table.

The motion was disagreed to, and the resolution was then adopted.

Mr. POINDEXTER offered the following resolution, which, on his motion, was considered and adopted.

Resolved, That the 34th rule of the Senate, so far as respects the Committee on Public Lands, be suspended, and that the present committee be continued with all the powers vested in them, and subject to all the duties enjoined on them by the several resolutions of the Senate at the last Session, relative to frauds in the sale of the public lands.

The Senate then adjourned.

WEDNESDAY, Dec. 3, 1834.

A message was received from the President of the United States, communicating the annual report of the Treasury Department.

On motion of Mr. BENTON, the reading of the report was dispensed with, and the usual number of copies was ordered to be printed.

The VICE PRESIDENT laid before the Senate a communication from the Treasury Department, containing the receipts and expenditures of that Department for the year 1833.

On motion of Mr. GRUNDY, so much of the President's Message as relates to the Post Office Department, was referred to the Committee on the Post Office and Post Roads.

The Senate then adjourned.

HOUSE OF REPRESENTATIVES,

MONDAY, December 1, 1834.

At 12 o'clock the Speaker took the Chair, and called the House to order.

The Clerk then proceeded to call the Roll, whereupon 187 members answered to their names.

A message was received from the Senate, informing the House that a quorum of the Senate had assembled, and were ready to proceed to business.

On motion of Mr. McKINLEY, the following resolutions were adopted:

Resolved, That a message be sent to the Senate, informing that body that a quorum of the House of Representativos has assembled, and that the House is ready to proceed to business.

Resolved, That a Committee be appointed on the part of the House, jointly with such committee as may be appointed by the Senate, to wait on the President of the United States, and inform him that a quorum of the two Houses is assembled, and that Congress is ready to receive any communication he may be pleased to make.

The SPEAKER appointed Messrs. M'KINLEY and LANSING, on the part of the House.

On motion of Mr. WARD, the usual resolutions for furnishing the members with newspapers, and with regard to the hour o meeting, were adopted.

On motion of Mr. CONNOR, the House adjourned.

TUESDAY, Dec. 2, 1834.

Mr. McKINLEY, from the Joint Committee, appointed yesterday to wait on the President of the United States, reported that they had performed that duty, and that the President had informed them that he would send a communication, in writing, to each House, at 12 o'clock this day.

A Message was received from the President of the United States, by the hand of ANDREW J. DONELSON, Esq. his Secretary, which will be found in another part of this paper.

After the reading of the Message from the Clerk's table,

On motion of Mr. CONNOR, it was ordered that it be referred to the Committee of the Whole on the state of the Union, and that 10,000 copies of the message and accompanying documents be brinted.

On motion of Mr. BOON, the House then adjourned.

WEDNESDAY, Dec. 3, 1834.

Mr. CASEY offered the following resolution, which was adopted.

Resolved unanimously, That the members of this House will testify their respect for the memory of CHARLES SLADE, deceased, late a member of this House from the State of Illinois, by wearing crape on the left arm for one month.

ANNUAL MESSAGE

OF THE PRESIDENT OF THE UNITED STATES,

TO THE SENATE AND HOUSE OF REPRESENTATIVES,

At the opening of the Second Session of the Twenty-Third Congress

Fellow Citizens of the Senate and House of Representatives:

In performing my duty at the opening of your present session, it gives me pleasure to congratulate you again upon the prosperous condition of our beloved country. Divine Providence has favored us with general health, with rich rewards in the field of agriculture and in every branch of labor, and with peace to cultivate and extend the various resources which employ the virtue and enterprise of our citizens. Let us trust that in surveying a scene so flattering to our free institutions, our joint deliberations to preserve them may be crowned with success.

Our foreign relations continue, with but few exceptions, to maintain the favorable aspect which they bore in my last annual message, and promise to extend those advantages which the principles that regulate our intercourse with other nations are so well calculated to secure.

The question of the North Eastern boundary is still pending with Great Britain, and the proposition made in accordance with the resolution of the Senate for the establishment of a line according to the treaty of 1783, has not been accepted by that Government. Believing that every disposition is felt on both sides to adjust this perplexing question to the satisfaction of all parties interested in it, the hope is yet indulged that it may be effected on the basis of that proposition.

With the Governments of Austria, Russia, Prussia, Holland, Sweden and Denmark, the best understanding exists. Commerce with all is fostered and protected by reciprocal good will, under the sanction of liberal, conventional, or legal provisions.

In the midst of her internal difficulties, the Queen of Spain has ratified the Convention for the payment of the claims of our citizens arising since 1819. It is in the course of execution on her part, and a copy of it is now laid before you for such legislation as may be found necessary to enable those interested to derive the benefits of it.

Yielding to the force of circumstances, and to the wise councils of time and experience, that power has finally resolved no longer to occupy the unnatural position in which she stood to the new Governments established in this hemisphere. I have the great satisfaction of stating to you that in preparing the way for the restoration of harmony between those who have sprung from the same ancestors, who are allied by common interests, profess the same religion, and speak the same language, the United States have been actively instrumental. Our efforts to effect this good work will be persevered in while they are deemed useful to the parties, and our entire disinterestedness continues to be felt and understood. The act of Congress to countervail the discriminating duties, levied to the prejudice of our navigation, in Cuba and Porto Rico, has been transmitted to the Minister of the United States at Madrid, to be communicated to the Government of the Queen. No intelligence of its receipt has yet reached the Department of State. If the present condition of the country permits the Government to make a careful and enlarged examination of the true interests of these important portions of its dominions, no doubt is entertained that their future intercourse with the United States will be placed upon a more just and liberal basis.

The Florida archives have not yet been selected and delivered. Recent orders have been sent to the agent of the United States at Havana, to return with all he can obtain, so that they may be in Washington before the session of the Supreme Court, to be used in the legal questions there pending, to which the Government is a party.

Internal tranquility is happily restored in Portugal. The distracted state of the country rendered unavoidable the postponement of a final payment of the just claims of our citizens. Our diplomatic relations will be soon resumed, and the long subsisting friendship with that power affords the strongest guarantee that the balance due will receive prompt attention.

The first instalment due under the convention of indemnity with the King of the Two Sicilies, has been duly received, and an offer has been made to extinguish the whole by a prompt payment—an offer I did not consider myself authorized to accept, as the indemnification provided is the exclusive property of individual citizens of the United States. The original adjustment of our claims, and the anxiety displayed to fulfil at once the stipulations made for the payment of them, are highly honorable to the Government of the Two Sicilies. When it is recollected that they were the result of the injustice of an intrusive power, temporarily dominant in its territory, a repugnance to acknowlege and pay which would have been neither unnatural nor unexpected, the circumstances cannot fail to exalt its character for justice and good faith in the eyes of all nations.

The Treaty of Amity and Commerce between the United States and Belgium, brought to your notice in my last annual message, as sanctioned by the Senate, but the ratifications of which had not been exchanged, owing to a delay in its reception at Brussels, and a subsequent absence of the Belgium Minister of Foreign Affairs, has been, after mature deliberation, finally disavowed by that Government, as inconsistent with the powers and instructions given to their Minister who negotiated it. This disavowal was entirely unexpected, as the liberal principles embodied in the convention, and which form the ground work of the objections to it, were perfectly satisfactory to the Belgian representative, and were supposed to be not only within the powers granted, but expressly conformable to the instructions given to him. An offer not yet accepted, has been made by Belgium to renew negotiations for a treaty less liberal in its provisions, on questions of general maratime law.

Our newly established relations with the Sublime Porte promises to be useful to our commerce, and satisfactory in every respect to this Government. Our intercourse with the Barbary Powers, continues without important change, except that the present political state of Algiers, has induced me to terminate the residence there of a salaried consul, and to substitute an ordinary consulate, to remain so long as the place continues in the possession of France. Our first treaty with one of these powers —the Emperor of Morocco—was formed in 1786, and was limited to fifty years. That period has almost expired. I shall take measures to renew it with the greater satisfaction, as its stipulations are just and liberal, and have been, with mutual fidelity and reciprocal advantage, scrupulously fulfilled.

Intestine dissentions have too frequently occurred to mar the prosperity, interrupt the commerce, and distract the Governments of most of the nations of this hemisphere, which have separated themselves from Spain. When a firm and permanent understanding with the parent country, shall have produced a formal acknowlegement of their independence, and the idea of danger from that quarter can be no longer entertained, the friends of freedom expect that those countries, so favored by nature, will be distinguished for their love of justice, and their devotion to those peaceful arts, the assiduous cultivation of which confers honor upon nations, and gives value to human life. In the mean time I confidently hope, that the apprehensions entertained, that some of the people of these luxuriant regions may be tempted, in a moment of unworthy distrust of their own capacity for the enjoyment of liberty, to commit the too common error of purchasing present repose by bestowing on some favorite leaders the fatal gift of irresponsible power—will not be realized. With all these Governments, and with that of Brazil, no unexpected changes in our relations have occurred during the present year. Frequent causes of just complaint have arisen upon the part of the citizens of the United States—sometimes from the irregular action of the constituted subordinate authorities of the maratime regions, and sometimes from the leaders or partisans of those in arms against the established Governments. In all cases, representations have been, or will be made, and as soon as their political affairs are in a settled position, it is expected that our friendly remonstrances will be followed by adequate redress.

The Government of Mexico made known in December last, the appointment of Commissioners and a Surveyor, on its part, to run in conjunction with ours, the boundary line between its territories and the United States, and excused the delay for the reasons anticipated—the prevalence of civil war. The Commissioners and Surveyors not having met within the time stipulated by the treaty, a new arrangement became necessary, and our Charge d'Affaires was instructed, in January last, to negotiate in Mexico, an article additional to the pre-existing treaty. This instruction was acknowleged, and no difficulty was apprehended in the accomplishment of that object. By information just received, that additional article to the treaty will be obtained, and transmitted to this country, as soon as it can receive the ratification of the Mexican Congress.

The re-union of the three States of New Granada, Venezuela, and Equador, forming the Republic of Colombia, seems every day to become more improbable. The Commissioners of the two first are understood to be now negotiating a just division of the obligations contracted by them when united under one Government. The civil war in Equador, it is believed, has prevented even the appointment of a Commissioner on its part.

I propose at an early day, to submit in the proper form, the appointment of a diplomatic agent to Venezuela. The importance of the commerce of that country to the United States, and the large claims of our citizens upon the Government, arising before and since the division of Colombia, rendering it, in my judgment, improper longer to delay this step.

Our representatives to Central America, Peru, and Brazil, are either at, or on their way to their respective posts.

From the Argentine Republic, from which a Minister was expected to this Government, nothing further has been heard. Occasion has been taken, on the departure of a new Consul to Buenos Ayres, to remind that Government, that its long delayed Minister, whose appointment had been made known to us, had not arrived.

It becomes my unpleasant duty to inform you that this pacific and highly gratifying picture of our foreign relations, does not include those with France at this time. It is not possible that any Government and People could be more sincerely desirous of conciliating a just and friendly intercourse with another nation, than are those of the United States, with their ancient ally and friend. This disposition is founded, as well on the most grateful and honorable recollections associated with our struggle for independence, as upon a well grounded conviction, that it is consonant with the true policy of both. The people of the United States could not, therefore, see without the deepest regret, even a temporary interruption of the friendly relations between the two countries—a regret which would, I am sure, be greatly aggravated, if there should turn out to be any reasonable ground for attributing such a result to any act of omission or commission on our part. I derive therefore, the highest satisfaction from being able to assure you that the whole course of this Government, has been characterized by a spirit so conciliatory and forbearing, as to make it impossible, that our justice and moderation should be questioned, whatever may be the consequence of a longer perseverance, on the part of the French Government, in her omission to satisfy the conceded claims of our citizens.

The history of the accumulated and unprovoked aggressions upon our commerce, committed by authority of the existing Governments of France, between the years 1800 and 1817, has been rendered too painfully familiar to Americans to make its repetition either necessary or desirable. It will be sufficient here to remark, that there has, for many years, been scarcely a single administration of the French Government by whom the justice and legality of the claims of our citizens to indemnity, were not, to a very considerable extent, admitted; and yet near a quarter of a century has been wasted in ineffectual negotiations to secure it.

Deeply sensible of the injurious effects resulting from this state of things upon the interests and character of both nations, I regarded it as among my first duties to cause one more effort to be made to satisfy France, that a just and liberal settlement of our claims was as well due to her own honor as to their incontestible validity. The negotiation for this purpose was commenced with the late Government of France, and was prosecuted with such success, as to leave no reasonable ground to doubt, that a settlement of a character quite as liberal as that which was subsequently made, would have been effected, had not the revolution, by which the negotiation was cut off, taken place. The discussions were resumed with the present Government, and the result showed, that we were not wrong in supposing, that an event by which the two Governments were made to approach each other so much nearer in their political principles, and by which the motives for the most liberal and friendly intercourse were so greatly multiplied, could exercise no other than a salutary influence upon the negotiation. After the most deliberate and thorough examination of the whole subject, a treaty between the two Governments was concluded and signed at Paris on the 4th of July 1831, by which it was stipulated that "the French Government, in order to liberate itself from all the reclamations preferred against it by the citizens of the United States, for unlawful seizures, captures, sequestrations, confiscations or destruction of their vessels, cargoes, or other property, engages to pay a sum of twenty-five millions of francs to the United States, who shall distribute it among those entitled, in the manner and according to the rules it shall determine;" and it was also stipulated upon the part of the French Government, that this twenty-five millions of francs should "be paid at Paris in six annual instalments of four millions one hundred and sixty-six thousand six hundred and sixty-six francs and sixty-six centimes each, into the hands of such person or persons as shall be authorized by the Government of the United States to receive it." The first instalment to be paid "at the expiration of one year next following the exchange of the ratifications of this convention, and the others at successive intervals of a year, one after another, till the whole shall be paid. To the amount of each of the said instalments shall be added interest at four per cent. thereupon, as upon the other instalments then remaining unpaid, the said interest to be computed from the day of the exchange of the present convention."

It was also stipulated on the part of the United States, for the purpose of being completely liberated from all the reclamations presented by France on behalf of its citizens, that the sum of one million five hundred thousand francs, should be paid to the Government of France, in six annual instalments, to be deducted out of the annual sums which France had agreed to pay, interest thereupon being in like manner computed from the day of the exchange of the ratifications. In addition to this stipulation, important advantages were secured to France by the following article, viz. "The wines of France, from and after the exchange of the ratifications of the present convention, shall be admitted to consumption in the States of the Union, at duties which shall not exceed the following rates by the gallon, (such as it is used at present for wines in the United States,) to wit: six cents for red wines in casks; ten cents for white wines in casks; and twenty-two cents for wines of all sorts in bottles. The proportions existing between the duties on French wines thus reduced, and the general rates of the tariff which went into operation the 1st of January, 1829, shall be maintained, in case the Government of the United States should think proper to diminish those general rates in a new tariff.

In consideration of this stipulation, which shall be binding on the United States for ten years, the French Government abandons the reclamations which it had formed in relation to the eighth article of the treaty of cession of Louisiana. It engages moreover, to establish on the *long staple* cottons of the United States, which after the exchange of the ratifications of the present convention, shall be brought directly thence to France by the vessels of the United States, or by French vessels, the same duties as on *short staple* cottons."

The treaty was duly ratified in the manner prescribed by the constitutions of both countries, and the ratification was exchanged at the City of Washington on the 2d of February 1832. On account of its commercial stipulations it was, in five days thereafter, laid before the Congress of the United States, which proceeded to enact such laws favorable to the commerce of France as were necessary to carry it into execution; and France has, from that period to the present, been in the unrestricted enjoyment of the valuable privileges that were thus secured to her. The faith of the French nation having been thus solemnly pledged, through its constitutional organ, for the liquidation and ultimate payment of the long deferred claims of our citizens, as also for the adjustment of other points of great and reciprocal benefits to both countries, and the United States having with a fidelity and promptitude by which their conduct will, I trust, be always characterized, done every thing that was necessary to carry the treaty into full and fair effect on their part, counted, with the most perfect confidence, on equal fidelity and promptitude on the part of the French Government. In this reasonable expectation we have been, I regret to inform you, wholly disappointed. No legislative provision has been made by France for the execution of the treaty, either as it respects the indemnity to be paid, or the commercial benefits to be secured to the United States and the relations between the United States and that power, in consequence thereof, are placed in a situation threatening to interrupt the good understanding which has so long and so happily existed between the two nations.

Not only has the French Government been thus wanting in the performance of the stipulations it has so solemnly entered into with the United States, but its omissions have been marked by circumstances which would seem to leave us without satisfactory evidences, that such performance will certainly take place at a future period. Advice of the exchange of ratifications reached Paris prior the 8th of April, 1832. The French Chambers were then sitting and continued in session until the 21st of that month, and although one instalment of the indemnity was payable on the 2d of February, 1833, one year after the exchange of ratifications, no application was made to the Chambers for the required appropriation, and in consequence of no appropriation having then been made, the draft of the U. S. Government for that instalment, was dishonored by the Minister of Finance, and the U. S. thereby involved in much controversy. The next session of the Chambers commenced on the 19th November, 1832, and continued until the 25th of April, 1833. Notwithstanding the omission to pay the first instalment, had been made the subject of earnest remonstrance on our part, the treaty with the U. States, and a bill making the necessary appropriations to execute it were not laid before the Chamber of Deputies until the 6th of April, nearly five months after its meeting, and only nineteen days before the close of the session. The bill was read and referred to a committee, but there was no further action upon it. The next session of the Chambers commenced on the 26th of April, 1833, and continued until the 26th of June following. A new bill was introduced on the 11th of June, but nothing important was done in relation to it during the session. In the month of April, 1834, nearly three years after the signature of the treaty, the final action of the French Chambers upon the bill to carry the treaty into effect, was obtained, and resulted in the refusal of the necessary appropriations. The avowed grounds upon which the bill was rejected, are to be found in the published debates of that body, and no observations of mine can be necessary to satisfy Congress of their utter insufficiency. Although the gross amount of the claims of our citizens is probably greater than will be ultimately allowed by the Commissioners, sufficient is, nevertheless, shown, to render it absolutely certain that the indemnity falls far short

of the actual amount of our just claims, independently of the question of damages and interest for the detention. That the settlement involved a sacrifice in this respect was well known at the time—a sacrifice which was cheerfully acquiesced in by the different branches of the Federal Government, whose action upon the treaty was required, from a sincere desire to avoid further collision upon this old and disturbing subject, and in the confident expectation that the general relations between the two countries would be improved thereby.

The refusal to vote the appropriation, the news of which was received from our Minister in Paris, about the 15th day of May last, might have been considered the final determination of the French Government, not to execute the stipulations of the treaty, and would have justified an immediate communication of the facts to Congress, with a recommendation of such ultimate measures as the interest and honor of the U. States might require. But with the news of the refusal of the Chambers to make the appropriation, were conveyed the regrets of the King, and a declaration, that a national vessel should forthwith be sent out, with instructions to the French Minister, to give the most ample explanations of the past, and the strongest assurances for the future. After a long passage, the promised despatch vessel arrived. The pledges given by the French Minister, upon receipt of his instructions, were, that as soon after the election of the new members as the charter would permit, the legislative Chambers of France should be called together, and the proposition for an appropriation laid before them; that all the constitutional powers of the King and his Cabinet, should be exerted to accomplish the object; and that the result should be made known early enough to be communicated to Congress at the commencement of the present session. Relying upon these pledges, and not doubting that the acknowleged justice of our claims, the promised exertions of the King and his Cabinet, and above all, that sacred regard for the national faith and honor for which the French character has been so distinguished, would secure an early execution of the treaty in all its parts, I did not deem it necessary to call the attention of Congress to the subject at the last session.

I regret to say that the pledges made through the minister of France have not been redeemed. The new chambers met on the 31st of July last, and although the subject of fulfilling treaties was alluded to in the speech from the throne, no attempt was made by the King or his Cabinet, to procure an appropriation to carry it into execution. The reasons given for this omission, although they might be considered sufficient in an ordinary case, are not consistent with the expectations founded upon the assurances given here, for there is no constitutional obstacle to entering into legislative business at the first meeting of the chambers. This point, however, might have been overlooked, had not the chambers, instead of being called to meet at so early a day that the result of their deliberations might be communicated to me, before the meeting of Congress, been prorogued to the 29th of the present month—a period so late that their decision can scarcely be made known to the present Congress prior to its dissolution. To avoid this delay, our minister in Paris, in virtue of the assurance given by the French Minister in the U. States, strongly urged the convocation of the Chambers at an earlier day, but without success. It is proper to remark, however, that this refusal has been accompanied with the most positive assurances, on the part of the Executive Government of France, of their intention to press the appropriation at the ensuing session of the Chambers.

The Executive branch of this government have, as matters stands, exhausted all the authority upon the subject with which it is invested, and which it had any reason to believe could be beneficially employed.

The idea of acquiescing in the refusal to execute the treaty, will not, I am confident, be for a moment entertained by any branch of this government; and further negotiation is equally out of the question.

If it shall be the pleasure of Congress to await the further action of the French Chambers, no further consideration of the subject will, at this session, probably be required at your hands. But if, from the original delay in asking for an appropriation, from the refusal of the Chambers to grant it when asked, from the omission to bring the subject before the Chambers at their last session, from the fact that, including that session, there have been five different occasions when the appropriation might have been made, and from the delay in convoking the Chambers until some weeks after the meeting of Congress, when it was well known that a communication of the whole subject to Congress at the last session, was prevented by assurances that it should be disposed of before its present meeting, you should feel yourselves constrained to doubt whether it be the intention of the French Government in all its branches to carry the treaty into effect, and think that such measures as the occasion may be deemed to call for, should be now adopted, the important question arises what those measures shall be.

Our institutions are essentially pacific. Peace and friendly intercourse with all nations, are as much the desire of our Government as they are the interest of our People. But these objects are not to be permanently secured, by surrendering the rights of our citizens, or permitting solemn treaties for their indemnity in cases of flagrant wrong, to be abrogated or set aside.

It is undoubtedly in the power of Congress seriously to affect the agricultural and manufacturing interests of France, by the passage of laws relating to her trade with the United States. Her products, manufactures, and tonnage, may be subjected to heavy duties in our ports, or all commercial intercourse with her may be suspended. But there are powerful, and, to my mind, conclusive objections to this mode of proceeding. We cannot embarrass or cut off the trade of France, without, at the same time in some degree, embarrassing or cutting off our own trade. The injury of such a warfare must fall, though unequally, upon our own citizens, and could not but impair the means of the Government, and weaken that united sentiment in support of the rights and honor of the nation which must now pervade every bosom.—Nor is it impossible that such a course of legislation would introduce once more into national councils those disturbing questions in relation to the tariff of duties which have been so recently put to rest. Besides, by every measure adopted by the Government of the United States with the view of injuring France, the clear perception of right which will induce our own people, and the rulers and people of all other nations, even of France herself, to pronounce our quarrel just, will be obscured, and the support rendered to us in a final resort to more decisive measures, will be more limited and equivocal. There is but one point in the controversy, and upon that, the whole civilized world must pronounce France to be in the wrong. We insist that she shall pay us a sum of money, which she has acknowleged to be due; and of the justice of this demand, there can be but one opinion among mankind. True policy would seem to dictate that the question at issue should be kept thus disencumbered, and that not the slightest pretence should be given to France to persist in her refusal to make payment, by any act on our part affecting the interests of her people. The question should be left as it is now, in such an attitude, that when France fulfils her treaty stipulations, all controversy will be at an end.

It is my conviction that the United States ought to insist on a prompt execution of the treaty, and in case it be refused, or longer delayed, take redress into their own hands. After the delay on the part of France of a quarter of a century in acknowleging those claims by treaty, it is not to be tolerated that another quarter of a century is to be wasted in negotiating about the payment. The laws of nations provide a remedy for such occasions. It is a well settled principle of the inter-national code, that where one nation owes another a liquidated debt, which it refuses or neglects to pay, the aggrieved party may seize on the property belonging to the other, its citizens or subjects, sufficient to pay the debt, without giving just cause of war. This remedy has been repeatedly resorted to, and recently by France herself against Portugal, under circumstances less unquestionable.

The time at which resort should be had to this or any other mode of redress, is a point to be decided by Congress. If an appropriation shall not be made by the French Chambers at their next session, it may justly be concluded that the Government of France has finally determined to disregard its own solemn undertaking, and refuse to pay an acknowleged debt. In that event, every day's delay upon our part will be a stain upon our national honor, as well as a denial of justice to our injured citizens. Prompt measures, when the refusal of France shall be complete, will not only be most honorable and just, but will have the best effect upon our national character.

Since France, in violation of the pledges given through her minister here, has delayed her final action so long that her decision will not probably be known, in time to be communicated to this Congress, I recommend that a law be passed, authorizing reprisals upon French property in case provision shall not be made for the payment of the debt, at the approaching session of the French Chambers. Such a measure ought not to be considered by France as a menace. Her pride and power are too well known to expect any thing from her fears, and preclude the necessity of a declaration that nothing partaking of the character of intimidation is intended by us. She ought to look upon it as the evidence only of an inflexible determination on the part of the United States to insist on their rights. That Government, by doing only what it has itself acknowleged to be just, will be able to spare the United States the necessity of taking redress into their own hands, and save the property of French citizens from that seizure and sequestration which American citizens so long endured without retaliation or redress. If she should continue to refuse that act of acknowleged justice, and in violation of the law of nations, make reprisals on our part the occasion of hostilities against the United States, she would but add violence to injustice, and could not fail to expose herself to the just censure of civilized nations, and to the retributive judgments of Heaven.

Collision with France is the more to be regretted on account of the position she occupies in Europe in relation to liberal institutions. But in maintaining our national rights and honor, all Governments are alike to us. If by a collision with France, in a case where she is clearly in the wrong, the march of liberal principles shall be impeded, the responsibility for that result, as well as every other, will rest on her own head.

Having submitted these considerations, it belongs to Congress to decide whether after what has taken place, it will still await the further action of the French Chambers, or now adopt such provisional measures as it may deem necessary and best adapted to protect the rights and maintain the honor of the country. Whatever that decision may be, it will be faithfully enforced by the Executive as far as he is authorized so to do.

According to the estimate of the Treasury Department, the revenue accruing, from all sources, during the present year, will amount to twenty millions six hundred and twenty-four thousand seven hundred and seventeen dollars, which with a balance remaining in the Treasury on the first of January last, of eleven millions seven hundred and two thousand nine hundred and five dollars, produces an aggregate of thirty-two millions three hundred and twenty-seven thousand six hundred and twenty-three dollars. The total expenditure during the year for all objects, including the public debt, is estimated at twenty-five millions five hundred and ninety-one thousand three hundred and ninety dollars, which will leave a balance in the Treasury on the first of January, 1835, of six million seven hundred and thirty-six thousand two hundred and thirty-two dollars. In this balance, however, will be included about one million one hundred and fifty thousand dollars of what was heretofore reported by the Department as not effective.

Of former appropriations it is estimated that there will remain unexpended at the close of the year, eight millions two thousand nine hundred and twenty-five dollars, and that of this sum there will not be required more than five millions one hundred and forty one thousand nine hundred and sixty-four dollars, to accomplish the objects of all the current appropriations. Thus it appears that after satisfying all those appropriations, and after discharging the last item of our public debt, which will be done on the 1st of January next, there will remain unexpended in the Treasury an effective balance of about four hundred and forty thousand dollars. That such should be the aspect of our finances is highly flattering to the industry and enterprise of our population, and auspicious of the wealth and prosperity which await the future cultivation of their growing resources. It is not deemed prudent, however, to recommend any change for the present in our impost rates, the effect of the gradual reduction now in progress in many of them not being sufficiently tested, to guide us in determining the precise amount of revenue which they will produce.

Free from public debt, at peace with all the world, and with no complicated interests to consult in our intercourse with foreign powers, the present may be hailed as that epoch in our history the most favorable for the settlement of those principles in our domestic policy, which shall be best calculated to give stability to our Republic, and secure the blessings of freedom to our citizens. Among these principles, from our past experience, it cannot be doubted, that simplicity in the character of the Federal Government, and a rigid economy in its administration, should be regarded as fundamental and sacred. All must be sensible that the existence of the public debt, by rendering taxation necessary for its extinguishment, has increased the difficulties which are inseparable from every exercise of the taxing power; and that it was, in this respect, a remote agent in pronouncing those disturbing questions which grew out of the discussions relating to the tariff. If such has been the tendency of a debt incurred in the acquisition and maintenance of our national rights and liberties, the obligations of which all portions of the Union cheerfully acknowleged, it must be obvious, that whatever is calculated to increase the burdens of Government without necessity, must be fatal to all our hopes of preserving its true character. While we are felicitating ourselves therefore, upon the extinguishment of the national debt, and the prosperous state of our finances, let us not be tempted to depart from those sound maxims of public policy, which enjoin a just adaptation of the revenue to the expenditures that are consistent with a rigid economy; and an entire abstinence from all topics of legislation that are not clearly within the constitutional powers of the Government, and suggested by the wants of the country. Properly regarded, under such a policy, every diminution of the public burdens arising from taxation, gives to individual enterprise increased power, and furnishes to all the members of our happy Confederacy, new motives for patriotic affection and support. But above all, its most important effect will be found in its influence upon the character of the Government, by confining its action to those objects which

will be sure to secure to it the attachment and support of our fellow citizens.

Circumstances make it my duty to call the attention of Congress to the Bank of the United States. Created for the convenience of the Government, that institution has become the scourge of the People. Its interference to postpone the payment of a portion of the national debt, that it might retain the public money appropriated for that purpose, to strengthen it in a political contest—the extraordinary extension and contraction of its accommodations to the community—its corrupt and partisan loans—its exclusion of the public directors from a knowlege of its most important proceedings—the unlimited authority conferred on the President to expend its funds in hiring writers, and procuring the execution of printing, and the use made of that authority—the retention of the pension money and books after the selection of new agents—the groundless claim to heavy damages, in consequence of the protest of the bill drawn on the French Government, have, through various channels, been laid before Congress. Immediately after the close of the last session, the Bank, through its President, announced its willingness and readiness to abandon the system of unparalleled curtailment, and the interruption of domestic exchanges, which it had practised upon from the 1st of August, 1833, to the 30th of June, 1834, and to extend its accommodations to the community. The grounds assumed in this annunciation, amounted to an acknowlegement that the curtailment, in the extent to which it had been carried, was not necessary to the safety of the Bank, and had been persisted in merely to induce Congress to grant the prayer of the Bank in its memorial relative to the removal of the deposits, and to give it a new charter. They were substantially a confession that all the real distresses which individuals and the country had endured for the preceding six or eight months, had been needlessly produced by it, with the view of affecting, through the sufferings of the People, the legislative action of Congress. It is a subject of congratulation that Congress and the country had the virtue and firmness to bear the infliction: that the energies of our people soon found relief from this wanton tyranny, in vast importations of the precious metals from almost every part of the world: and that at the close of this tremendous effort to control our Government, the Bank found itself powerless, and no longer able to loan out its surplus means. The community had learned to manage its affairs without its assistance, and trade had already found new auxiliaries: so that on the first of October last, the extraordinary spectacle was presented of a National Bank, more than one half of whose capital was either lying unproductive in its vaults, or in the hands of foreign bankers.

To the needless distresses brought on the country during the last session of Congress, has since been added the open seizure of the dividends on the public stock, to the amount of one hundred and seventy thousand and forty-one dollars, under pretences of paying damages, cost, and interest, upon the protested French Bill. This sum constituted a portion of the estimated revenues for the year 1834, upon which the appropriations made by Congress were based. It would as soon have been expected that our collectors would seize on the customs, or the receivers of our land offices on the moneys arising from the sale of public lands, under pretences of claims against the United States, as that the Bank would have retained the dividends. Indeed, if the principle be established that any one who chooses to set up a claim against the United States may, without authority of law, seize on the public property or money wherever he can find it, to pay the claim, there will remain no assurance that our revenue will reach the Treasury, or that it will be applied after the appropriation to the purposes designated in the law. The paymasters of our army, and the pursers of our navy may, under like pretences, apply to their own use moneys appropriated to set in motion the public force, and in time of war leave the country without defence. This measure resorted to by the Bank is disorganizing and revolutionary, and if generally resorted to by private citizens in like cases, would fill the land with anarchy and violence.

It is a constitutional provision, that "no money shall be drawn from the Treasury but in consequence of appropriations made by law." The palpable object of this privision is to prevent the expenditure of the public money, for any purpose whatever, which shall not have been first approved by the Representatives of the people and the States in Congress assembled. It vests the power of declaring for what purposes the public money shall be expended, in the Legislative Department of the Government, to the exclusion of the Executive and Judicial, and it is not within the constitutional authority of either of those Departments, to pay it away without law, or to sanction its payment. According to this plain constitutional provision the claim of the Bank can never be paid without an appropriation by act of Congress. But the Bank has never asked for the appropriation. It attempts to defeat the provision of the Constitution, and obtain payment without an act of Congress. Instead of awaiting an appropriation passed by both Houses, and approved by the President, it makes an appropriation for itself, and invites an appeal to the Judiciary to sanction it. That the money had not technically been paid into the Treasury, does not affect the principle intended to be established by the Constitution. The Executive and the Judiciary have as little right to appropriate and expend the public money without authority of law, before it is placed to the credit of the Treasury, as to take it from the Treasury. In the annual report of the Secretary of the Treasury, and in his correspondence with the President of the Bank, and the opinion of the Attorney General accompanying it, you will find a further examination of the claims of the Bank, and the course it has pursued.

It seems due to the safety of the public funds remaining in that Bank, and to the honor of the American people, that measures be taken to separate the Government entirely from an institution so mischievous to the public property, and so regardless of the Constitution and laws. By transferring the public deposits, by appointing other Pension Agents, as far as it had the power, by ordering the discontinuance of the receipt of the Bank Checks in payment of the public dues, after the first day of January next, the Executive has exerted all its lawful authority to sever the connexion between the Government and this faithless corporation.

The high-handed career of this institution imposes upon the constitutional functionaries of this government, duties of the gravest and most imperative character—duties which they cannot avoid, and from which I trust there will be no inclination on the part of any of them to shrink. My own sense of them is most clear, as is also my readiness to discharge those which may rightfully fall on me. To continue any business relations with the Bank of the United States that may be avoided without a violation of the national faith, after that institution has set at open defiance the conceded right of the government to examine its affairs; after it has done all in its power to deride the public authority in other respects, and to bring it into disrepute at home and abroad; after it has attempted to defeat clearly the expressed will of the people by turning against them the immense power intrusted to its hands, and by involving a country otherwise peaceful, flourishing, and happy, in dissention, embarrassment, and distress—would make the nation itself a party to the degradation so sedulously prepared for its public agents—and do much to destroy the confidence of mankind in popular governments, and to bring into contempt their authority and efficiency. In guarding against an evil of such magnitude, considerations of temporary convenience should be thrown out of the question, and we should be influenced by such motives only as look to the honor and preservation of the republican system. Deeply and solemnly impressed with the justice of these views, I feel it to be my duty to recommend to you, that a law be passed authorizing the sale of the public stock; that the provision of the charter requiring the receipt of the notes of the Bank in payment of public dues, shall, in accordance with the power reserved to Congress in the 14th section of the charter, be suspended until the Bank pays to the Treasury the dividends withheld; and that all laws connecting the government or its officers, with the Bank, directly or indirectly, be repealed, and that the institution be left hereafter to its own resources and means.

Events have satisfied my mind, and I think the minds of the American people that the mischiefs and dangers which flow from a National Bank, far overbalance all its advantages. The bold effort the present Bank has made to control the Government, the distresses it has wantonly produced, the violence of which it has been the occasion in one of our cities famed for its observance of law and order, are but premonitions of the fate which awaits the American people should they be deluded into a perpetuation of this institution, or the establishment of another like it. It is fervently hoped, that thus admonished, those who have heretofore favored the establishment of a substitute for the present Bank, will be induced to abandon it, as it is better to incur any inconvenience that may be reasonably expected, than to concentrate the whole monied power of the Republic in any form whatever, or under any restrictions.

Happily it is already illustrated that the agency of such an institution is not necessary to the fiscal operations of the Government. The State Banks are found fully adequate to the performance of all the services which were required of the Bank of the United States, quite as promptly, and with the same cheapness. They have maintained themselves, and discharged all these duties, while the Bank of the United States was still powerful, and in the field as an open enemy; and it is not possible to conceive that they will find greater difficulties in their operations, when that enemy shall cease to exist.

The attention of Congress is earnestly invited to the regulation of the deposits in the State Banks, by law.—Although the power now exercised by the Executive Department in this behalf, is only such as was uniformly exerted through every Administration from the origin of the Government up to the establishment of the present Bank, yet it is one susceptible of regulation by law, and therefore ought so to be regulated. The power of Congress to direct in what places the Treasurer shall keep the monies in the Treasury, and to impose restrictions upon the Executive authority, in relation to their custody and removal, is unlimited, and its exercise will rather be courted than discouraged by those public officers and agents on whom rests the responsibility for their safety. It is desirable that as little power as possible should be left to the President or Secretary of the Treasury over those institutions—which, being thus freed from Executive influence, and without a common head to direct their operations, would have neither the temptation nor the ability to interfere in the political conflicts of the country. Not deriving their charters from the national authorities, they would never have those inducements to meddle in general elections, which have led the Bank of the United States to agitate and convulse the country for upwards of two years.

The progress of our gold coinage is creditable to the officers of the mint, and promises in a short period to furnish the country with a sound and profitable currency, which will diminish the inconvenience to travellers of the want of a general paper currency, should the State banks be incapable of furnishing it. Those institutions have already shown themselves competent to purchase and furnish domestic exchange for the convenience of trade, at reasonable rates; and not a doubt is entertained that, in a short period, all the wants of the country in bank accommodations and exchange, will be supplied as promptly and cheaply as they have heretofore been by the Bank of the United States. If the several States shall be induced gradually to reform their banking systems, and prohibit the issue of all small notes, we shall, in a few years, have a currency as sound, and as little liable to fluctuations, as any other commercial country.

The report of the Secretary of War, together with the accompanying documents from the several bureaux of that Department, will exhibit the situation of the various objects committed to its administration.

No event has occurred since your last session rendering necessary any movements of the army, with the exception of the expedition of the regiment of dragoons into the territory of the wandering and predatory tribes inhabiting the western frontier, and living adjacent to the Mexican boundary. These tribes have been heretofore known to us principally by their attacks upon our own citizens, and upon other Indians entitled to the protection of the United States. It became necessary for the peace of the frontiers to check these habitual inroads, and I am happy to inform you that the object has been effected without the commission of any act of hostility. Colonel Dodge, and the troops under his command, have acted with equal firmness and humanity, and an arrangement has been made with those Indians, which it is hoped will assure their permanent pacific relations with the United States and the other tribes of Indians upon that border. It is to be regretted that the prevalence of sickness in that quarter has deprived the country of a number of valuable lives, and particularly that of General Leavenworth, an officer well known and esteemed for his gallant services in the late war, and for his subsequent good conduct, has fallen a victim to his zeal and exertions in the discharge of his duty.

The army is in a high state of discipline. Its moral condition, so far as that is known here, is good, and the various branches of the public service, are carefully attended to. It is amply sufficient, under its present organization, for providing the necessary garrison for the seaboard and for the defence of the internal frontier, and also for preserving the elements of military knowlege, and for keeping pace with those improvements which modern experience is continually making. And these objects appear to me to embrace all the legitimate purposes for which a permanent military force should be maintained in our country. The lessons of history teach us its danger, and the tendency which exists to an increase. This can be best met and averted by a just caution on the part of the public itself, and of those who represent them in Congress.

From the duties which devolve on the Engineer Department, and upon the Topographical Engineers, a different organization seems to be demanded by the public interest, and I recommend the subject to your consideration.

No important change has, during this season, taken place in the condition of the Indians. Arrangements are in progress for the removal of the Creeks, and will soon be for the removal of the Seminoles. I regret that the Cherokees east of the Mississippi, have not yet determined, as a community, to remove.—How long the personal causes which have heretofore retarded that ultimately inevitable measure, will continue to operate, I am unable to conjecture. It is certain, however, that delay will bring with it accumulated evils; which will render their condition more and more unpleasant. The experience of every year adds to the conviction, that emigration, and that alone, can preserve from destruction the remnant of the tribes yet living

among us. The facility with which the necessaries of life are procured, and the treaty stipulations providing aid for the emigrants in their agricultural pursuits, and in the important concern of education, and their removal from those causes which have heretofore depressed all and destroyed many of the tribes, cannot fail to stimulate their exertions and to reward their industry.

The two laws passed at the last session of Congress on the subject of Indian affairs, have been carried into effect, and detailed instructions for their administration have been given. It will be seen by the estimates for the present session, that a great deduction will take place in the expenditures of the department in consequence of those laws. And there is reason to believe that their operation will be salutary, and that the colonization of the Indians on the western frontier, together with a judicious system of administration, will still further reduce the expenses of this branch of the public service, and at the same time promote its usefulness and efficiency.

Circumstances have been recently developed, showing the existence of extensive frauds under the laws granting pensions and gratuities for Revolutionary services. It is impossible to estimate the amount which may have been thus fraudulently obtained from the national treasury. I am satisfied, however, it has been such as to justify a re-examination of the system, and the adoption of the necessary checks in its administration. All will agree, that the services and sufferings of the remnant of our Revolutionary band, should be fully compensated. But while this is done, every proper precaution should be taken to prevent the admission of fabricated and fraudulent claims. In the present mode of proceeding, the attestations and certificates of judicial officers of the various States, form a considerable portion of the checks which are interposed against the commission of frauds. These, however, have been, and may be, fabricated, and in such a way as to elude detection at the examining offices. And independently of this practical difficulty, it is ascertained that these documents are often loosely granted; sometimes even blank certificates have been issued, sometimes prepared papers have been signed without inquiry; and, in one instauce at least, the seal of the Court has been within the reach of a person most interested in its improper application.—It is obvious that, under such circumstances, no severity of administration can check the abuse of the law; and imformation has, from time to time, been communicated to the Pension Office, questioning or denying the right of persons placed upon the pension list, to the bounty of the country. Such cautions are always attended to, and examined. But a far more general investigation is called for. And I therefore recommend, in conformity with the suggestion of the Secretary of War, that an actual inspection should be made, in each State, into the circumstances and claims of every person now drawing a pension. The honest veteran has nothing to fear from such a scrutiny, while the fraudulent claimant will be detected, and the public Treasury relieved to an amount, I have reason to believe, far greater than has heretofore been suspected. The details of such a plan, could be so regulated as to interpose the necessary checks, without any burthensome operation upon the pensioners. The object should be twofold:—

1. To look into the original justice of the claims, so far as this can be done under a proper system of regulations, by an examination of the claimants themselves, and by inquiring in the vicinity of their residence, into their history, and into the opinion entertained of their revolutionary services.

2. To ascertain, in all cases, whether the original claimant is living, and this by actual personal inspection.

This measure will, if adopted, be productive, I think, of the desired results, and I therefore recommend it to your consideration, with the further suggestion, that all payments should be suspended until the necessary reports are received.

It will be seen by a tabular statement annexed to the documents transmitted to Congress, that the appropriations for objects connected with the War Department, made at the last session, for the service of the year 1834, excluding the permanent appropriations for the payment of military gratuities under the act of June 7, 1832, the appropriation of two hundred thousand dollars for arming and equipping the militia, and the appropriation of ten thousand dollars for the civilization of the Indians, which are not annually renewed, amounted to the sum of nine millions three thousand two hundred and sixty-one dollars, and that the estimates of appropriations necessary for the same branches of service for the year 1835, amount to the sum of five millions seven hundred and seventy-eight thousand nine hundred and sixty-four dollars, making a difference in the appropriations of the current year over the estimates of appropriations for the next, of three millions two hundred and twenty-four thousand two hundred and ninety-seven dollars.

The principal causes which have operated at this time to produce this great difference, are shown in the reports and documents, and in the detailed estimates. Some of these causes are accidental and temporary, while others are permanent, and, aided by a just course of administration, may continue to operate beneficially upon the public expenditures.

A just economy, expending where the public service requires, and withholding where it does not, is among the indispensable duties of the Government.

I refer you to the accompanying report of the Secretary of the Navy, and to the documents with it, for a full view of the operations of that important branch of our service, during the present year. It will be seen that the wisdom and liberality with which Congress have provided for the gradual increase of our Navy material, have been seconded by a corresponding zeal and fidelity on the part of those to whom has been confided the execution of the laws on the subject; and that but a short period would be now required to put in commission a force large enough for anv exigency into which the country may be thrown.

When we reflect upon our position in relation to other nations, it must be apparent, that in the event of conflicts with them, we must look chiefly to our navy for the protection of our national rights. The wide seas which separate us from other governments, must of necessity be the theatre on which an enemy will aim to assail us, and unless we are prepared to meet him on this element, we cannot be said to possess the power requisite to repel or prevent aggressions. We cannot, therefore, watch with too much attention this arm of our defence, or cherish with too much care the means by which it can possess the necessary efficiency and extension. To this end our policy has been heretofore wisely directed to the constant employment of a force sufficient to guard our commerce, and to the rapid accumulation of the materials which are necessary to repair our vessels, and construct with ease such new ones as may be required in a state of war.

In accordance with this policy I recommend to your consideration the erection of the additional Dry Dock described by the Secretary of the Navy, and also the construction of the Steam Batteries to which he has referred, for the purpose of testing their efficacy as auxiliaries to the system of defence now in use.

The report of the Postmaster General, herewith submitted, exhibits the condition and prospects of that Department. From that document it appears that there was a deficit in the funds of the Department at the commencement of the present year, beyond its available means, of three hundred and fifteen thousand five hundred and ninety-nine dollars and ninety-eight cents, which on the first day of July last had been reduced to two hundred and sixty-eight thousand ninety-two dollars and seventy-four cents. It appears also, that the revenues for the coming year will exceed the expenditures about two hundred and seventy thousand dollars, which with the excess of revenue which will result from the operations of the current half year, may be expected, independently of any increase in the gross amount of postages to supply the entire deficit before the end of 1835. But as this calculation is based on the gross amount of postages which had accrued within the period embraced by the times of striking the balances, it is obvious that without a progressive increase in the amount of postages, the existing retrenchments must be persevered in through the year 1836, that the Department may accumulate a surplus fund sufficient to place it in a condition of perfect ease.

It will be observed that the revenues of the Post Office Department, though they have increased, and their amount is above that of any former year, have yet fallen short of the estimates more than a hundred thousand dollars. This is attributed, in a great degree, to the increase of free letters growing out of the extension and abuse of the franking privilege. There has been a gradual increase in the number of executive offices to which it has been granted, and by an act passed in March, 1833, it was extended to members of Congress throughout the whole year. It is believed that a revision of the laws relative to the franking privilege, with some enactments to enforce more rigidly the restrictions under which it is granted, would operate beneficially to the country, by enabling the department at an early period to restore the mail facilities that have been withdrawn, and to extend them more widely as the growing settlements of the country may require.

To a measure so important to the government, and so just to our constituents, who ask no exclusive privileges for themselves, and are not willing to concede them to others, I earnestly recommend the serious attention of Congress.

The importance of the Post Office Department, and the magnitude to which it has grown, both in its revenues and its operations, seem to demand its re-organization by law. The whole of its receipts and disbursements have hitherto been left entirely to executive control, and individual discretion. The principle is as sound in relation to this as to any other Department of the Government, that as little discretion should be confided to the Executive officer who controls it, as is compatible with its efficiency. It is therefore earnestly recommended that it be organized with an Auditor and a Treasurer of its own, appointed by the President and Senate, who shall be branches of the Treasury Department.

Your attention is again respectfully invited to the defect which exists in the Judicial System of the United States. Nothing can be more desirable than the uniform operation of the Federal Judiciary throughout the several States, all of which, standing on the same footing as members of the Union, has equal rights to the advantages and benefits resulting from its laws. This object is not attained by the judicial acts now in force, because they leave one-fourth of the States without Circuit Courts.

It is undoubtedly the duty of Congress to place all the States on the same footing in this respect, either by the creation of an additional number of associate judges, or by an enlargement of the circuits assigned to those already appointed, so as to include the new States Whatever may be the difficulty in a proper organization of the judicial system, so as to secure its efficiency and uniformity in all parts of the Union, and at the same time to avoid such an increase of judges as would encumber the supreme appellate tribunal, it should not be allowed to weigh against the great injustice which the present operation of the system produces.

I trust that I may be also pardoned for renewing the recommendation I have so often submitted to your attention, in regard to the mode of electing the President and Vice President of the United States. All the reflection I have been able to bestow upon the subject, increases my convictions that the best interests of the country will be promoted by the adoption of some plan which will secure, in all contingencies, that important right of sovereignty to the control of the people. Could this be attained, and the tenure of these officers be limited to a single period of either four or six years, I think our liberties would possess an additional safeguard.

At your last session I called the attention of Congress to the destruction of the public building occupied by the Treasury Department. As the public interest requires that another building should be erected, with as little delay as possible, it is hoped that the means will be seasonably provided, and that they will be ample enough to authorize such an enlargement and improvement in the plan of the buildings as will more effectually accommodate the public officers, and secure the public documents deposited in it from the casualties of fire.

I have not been able to satisfy myself that the bill entitled "An Act to improve the navigation of the Wabash river," which was sent to me at the close of your last session, ought to pass, and I have therefore withheld my approval, and now return it to the Senate, the body in which it originated.

There can be no question connected with the administration of public affairs more important or more difficult to be satisfactorily dealt with, than that which relates to the rightful authority and proper action of the Federal Government upon the subject of Internal Improvements. To inherent embarrassments have been added others resulting from the course of our legislature concerning it.

I have heretofore communicated freely with Congress upon this subject, and in adverting to it again, I cannot refrain from expressing my increased conviction of its extreme importance, as well in regard to its bearings upon the maintenance of the Constitution and the prudent management of the public revenue, as on account of its disturbing effect upon the harmony of the Union.

We are in no danger from violations of the Constitution by which encroachments are made upon the personal rights of the citizens. The sentence of condemnation long since pronounced by the American people upon acts of that character, will, I doubt not, continue to prove as salutary in its effects, as it is irreversible in its nature. But against the dangers of unconstitutional acts which, instead of menacing the vengeance of offended authority, proffer local advantages, and bring in their train the patronage of the Government, we are, I fear, not so safe. To suppose that because our Government has been instituted for the benefit of the people, it must therefore have the power to do whatever may seem to conduce to the public good, is an error, into which even honest minds are too apt to fall. In yielding themselves to this fallacy, they overlook the great considerations in which the Federal Constitution was founded. They forget that in consequence of the conceded diversities in the interest and condition of the different States, it was foreseen at the period of its adoption, that although a particular measure of the Government, might be beneficial and proper in one State, it might be the reverse in another—that it was for this reason the States would not consent to make a grant to the Federal Government of the general and usual powers of Government, but of such only as were specifically enumerated, and the probable effects of which they could, as they thought, safely anticipate: and they forgot also the paramount obligation upon all to abide by the compact, then so solemnly, and as it was hoped, so firmly established. In addition to the dangers to the Constitution springing from the

sources I have stated, there has been one which was perhaps greater than all. I allude to the materials which this subject has afforded for sinister appeals to selfish feelings, and the opinion heretofore so extensively entertained of its adaption to the purposes of personal ambition. With such stimulants it is not surprising that the acts and pretensions of the Federal Government in this behalf should sometimes have been carried to an alarming extent. The questions which have arisen on this subject have related—

1st. To the power of making internal improvements within the limits of a State, with the right of territorial jurisdiction, sufficient at least for their preservation and use.

2d. To the right of appropriating money in aid of such works when carried on by a state, or by a company in virtue of State authority, surrendering the claim of jurisdiction.

3d. To the propriety of appropriation for improvements of a particular class, viz. for light houses, beacons, buoys, public piers, and for the removal of sand-bars, sawyers, and other temporary and partial impediments in our navigable rivers and harbors.

The claims of power for the General Government upon each of these points certainly present matter of the deepest interest.—The first is, however, of much the greatest importance, inasmuch as, in addition to the dangers of unequal and improvident expenditures of public monies, common to all, there is superadded to that the conflicting jurisdictions of the respective governments.—Federal jurisdiction, at least to the extent I have stated, has been justly regarded by its advocates as necessarily appurtenant to the power in question, if that exists by the constitution. That the most injurious conflicts would unavoidably arise between the respective jurisdiction of the State and Federal Government, in the absence of a constitutional provision marking out their respective boundaries, cannot be doubted. The local advantages to be obtained would induce the States to overlook in the beginning the danger and difficulties to which they might ultimately be exposed. The powers exercised by the Federal Government would soon be regarded with jealousy by the State authorities, and originating as they must from implication or assumption, it would be impossible to affix to them certain and safe limits. Opportunities and temptations to the assumption of power incompatible with State Sovereignty would be increased, and those barriers which resist the tendency of our system towards consolidation greatly weakened. The officers and agents of the General Government might not always have the discretion to abstain from intermeddling with State concerns; and if they did, they would not always escape the suspicion of having done so. Collisions, and consequent irritations would spring up—that harmony which should ever exist between the General Government, and each member of the Confederacy would be frequently interrupted—a spirit of contention would be engendered—and the dangers of division greatly multiplied.

Yet we all know, that notwithstanding these grave objections, this dangerous doctrine was at one time apparently proceeding to its final establishment with fearful rapidity. The desire to embark the Federal Government in works of internal improvement, prevailed in the highest degree, during the first session of the first Congress that I had the honor to meet in my present situation. When the bill authorizing a subscription on the part of the United States for stock in the Maysville and Lexington Turnpike Companies, passed the two houses, there had been reported by the Committees of Internal Improvements, bills containing appropriations for such objects, exclusive of those for the Cumberland road, and for harbors, and light houses, to the amount of one hundred and six millions of dollars In this amount was included authority to the Secretary of the Treasury to subscribe for the stock of different companies to a great extent, and the residue was principally for the direct construction of roads by this government. In addition to these projects, which had been presented to the two Houses, under the sanction and recommendation of their respective Committees on internal improvements, there were then still pending before the committees, and in memorials to Congress, presented, but not referred, different projects for works of a similar character, the expense of which cannot be estimated with certainty, but must have exceeded one hundred millions of dollars.

Regarding the bill authorizing a subscription to the stock of the Maysville and Lexington Turnpike Company as the entering wedge of the system, which however weak at first, might soon become strong enough to rive the bonds of the Union asunder, and believing that if its passage was acquiesced in by the Executive and the People, there would no longer be any limitation upon the authority of the General Government in respect to the appropriation of money for such objects, I deemed it an imperative duty to withhold from it the Executive approval. Although, from the obviously local character of that work, I might well have contented myself with a refusal to approve the bill upon that ground, yet, sensible of the vital importance of the subject, and anxious that my views and opinions in regard to the whole matter, should be fully understood by Congress, and by my constituents, I felt it my duty to go further. I therefore embraced that early occasion to apprise Congress, that, in my opinion, the Constitution did not confer upon it the power to authorize the construction of ordinary roads and canals within the limits of a State, and to say respectfully, that no bills admitting such a power could receive my official sanction. I did so in the confident expectation that the speedy settlement of the public mind upon the whole subject would be greatly facilitated by the difference between the two Houses and myself, and that the harmonious action of the several departments of the Federal Government in regard to it, would be ultimately secured.

So far at least as it regards this branch of the subject, my best hopes have been realized. Nearly four years have elapsed, and several sessions of Congress have intervened, and no attempts, within my recollection, been made to induce Congress to exercise this power; the application for the construction of roads and canals, which were formerly multiplied upon your files, are no longer presented; and we have good reason to infer that the current of public sentiment has become so decided against the pretension as effectually to discourage its re-assertion. So thinking, I derive the greatest satisfaction from the conviction, that thus much at least has been secured upon this important and embarrassing subject.

From attempts to appropriate the national funds to objects which are confessedly of a local character, we cannot, I trust, have any thing further to apprehend. My views in regard to the expediency of making appropriations for works which are claimed to be of a national character, and prosecuted under State authority, assuming that Congress have the right to do so, were stated in my annual message to Congress in 1830, and also in that containing my objections to the Maysville Road Bill.

So thoroughly convinced am I, that no such appropriations ought to be made by Congress, until a suitable constitutional provision is made upon the subject, and so essential do I regard the point to the highest interests of our country, that I could not consider myself as discharging my duty to my constituents in giving the Executive sanction to any bill containing such an appropriation. If the People of the United States desire that the public Treasury shall be resorted for the means to prosecute such works they will concur in an amendment of the constitution, prescribing a rule by which the national character of the works is to be tested, and by which the greatest practicable equality of benefits may be secured to each member of the confederacy. The effects of such a regulation would be most salutary in preventing unprofitable expenditures, in securing our legislation from the pernicious consequences of a scramble for the favors of Government, and in repressing the spirit of discontent which must inevitably arise from an unequal distribution of treasures which belong alike to all.

There is another class of appropriations for what may be called, without impropriety, internal improvements, which have always been regarded as standing upon different grounds from those to which I have referred. I allude to such as have for their object the improvement of our harbors, the removal of partial and temporary obstructions in our navigable rivers, for the facility and security of our foreign commerce. The grounds upon which I distinguished appropriations of this character from others have already been stated to Congress. I will now only add that at the first session of Congress under the new constitution, it was provided by law, that all expenses which should accrue from and after the 15th day of August, 1789, in the necessary support and maintenance and repairs of all light-houses, beacons, buoys, and public piers, erected, placed, or sunk before the passage of the act, within any bay, inlet, harbor, or port of the United States, for rendering the navigation thereof easy and safe, should be defrayed out of the Treasury of the United States, and further, that it should be the duty of the Secretary of the Treasury to provide by contracts, with the approbation of the President, for rebuilding when necessary, and in keeping in good repair, the light-houses, beacons, buoys, and public piers in the several States, and furnishing them with supplies. Appropriations for similar objects have been continued from that time to the present without interruption or dispute. As a natural consequence of the increase and extension of our foreign commerce, ports of entry and delivery have been multiplied and established, not only upon our sea-board but in the interior of the country upon our lakes and navigable rivers. The convenience and safety of this commerce have led to the gradual extension of these expenditures; to the erection of light-houses, the placing, planting and sinking of buoys, beacons, and piers, and to the removal of partial and temporary obstructions in our navigable rivers, and in the harbors upon our great lakes, as well as on the sea-board. Although I have expressed to Congress my apprehensions that these expenditures have sometimes been extravagant and disproportionate to the advantages to be derived from them, I have not felt it my duty to refuse my assent to bills containing them, and have contented myself to follow in this respect, in the footsteps of all my predecessors. Sensible, however, from experience and observation, of the great abuses to which the unrestricted exercise of this authority by Congress was exposed, I have prescribed a limitation for the government of my own conduct, by which expenditures of this character are confined to places below the ports of entry or delivery established by law. I am very sensible that this restriction is not as satisfactory as could be desired, and that much embarrassment may be caused to the Executive Department in its execution, by appropriations for remote, and not well understood objects. But as neither my own reflections, nor the lights which I may properly derive from other sources, have supplied me with a better, I shall continue to apply my best exertions to a faithful application of the rule upon which it is founded. I sincerely regret that I could not give my assent to the bill entitled "An act to improve the navigation of the Wabash river;" but I could not have done so without receding from the ground which I have upon the fullest consideration, taken upon this subject, and of which Congress has been heretofore apprized, and without throwing the subject again open to abuses which no good citizen, entertaining my opinions, could desire.

I rely upon the intelligence and candor of my fellow-citizens, in whose liberal indulgence I have already so largely participated, for a correct appreciation of my motives in interposing as I have done, on this, and other occasions, checks to a course of legislation which, without, in the slightest degree, calling in question the motives of others, I consider as sanctioning improper and unconstitutional expenditures of public treasure.

I am not hostile to internal improvements, and wish to see them extended to every part of the country. But I am fully persuaded, if they are not commenced in a proper manner, confined to proper objects, and conducted under an authority generally conceded to be rightful, that a successful prosecution of them cannot be reasonably expected. The attempt will meet with resistance where it might otherwise receive support, and instead of strengthening the bonds of our confederacy, it will only multiply and aggravate the causes of disunion.

ANDREW JACKSON.

December 1, 1834.

From the Globe.

Statement of the amount of Gold remaining in the Mint uncoined on the 22d November, 1834, with the amount deposited for coinage within the week ending November 29—together with the amount of New Gold coinage.

Remaining uncoined at the Mint, November 22,		$134,615
Deposited for coinage during the week ending November, 29th, viz.		
Uncoined bullion,	$ 54,800	
Foreign coins,	101,300	
		156,100
		290,715
Amount coined within the same period,		110,105
Remaining uncoined,		$189,610
Amount coined from 1st August last, to 22d November, instant,		$3,012,985
Amount coined from 22d to 29th Nov.		101,105
Total amount of new gold coinage,		$3,114,090

PROSPECTUS

FOR THE

CONGRESSIONAL GLOBE.

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